

To: Michigan House of Representatives, Committee on Ethics and Elections
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Thank you for the opportunity to testify today in support of HB 4447 and HB 4448, which would permit a resident address on a driver license or personal identification card that is different than the voter registration address (on the QVF).

I am Professor Emeritus at Michigan State University and a member of the Michigan Election Reform Alliance (<http://MichiganElectionReformAlliance.Org>), where I serve on the legislative committee, among other duties. In the 2004 and 2006 elections I was a certified Election Challenger (Observer) in East Lansing.

Today I would like to convey strong support from the Michigan Election Reform Alliance (MERA) for the two bills, and summarize evidence from personal observations of possibly widespread administrative errors in applying the current law.

MERA has formulated a extensive election reform plan that has been provided to various legislators, including Rep. Marc Corriveau, the Chair of this committee.
([http://www.michiganelectionreformalliance.org/MERA_Legislative_Plan-3-04-07\(4\)endnotes.pdf](http://www.michiganelectionreformalliance.org/MERA_Legislative_Plan-3-04-07(4)endnotes.pdf))

Item V.B.5. in that document is identical in intent with the two bills before you. MERA requests this change in the law because:

It creates an unnecessary burden on citizens who reside for long periods away from home, who move frequently, who depend on family members for driver's insurance, or who must retain a certain state driver's license for their employment.

We appreciate Rep. Warren's sponsorship of this measure and strongly urge its passage.

As an Election Challenger (or Observer) in 2006 I took special care to observe and make notes on any issues that arose throughout the day regarding voters' applications to vote in one precinct (East Lansing Precinct #10), where multiple problems had been reported in a previous election.

Over the time the polls were open in Precinct #10, I noted thirty (30) cases (and observed 29 directly) where the voter applied to vote from an address not listed in the precinct poll book. Seventeen (17) of these were resolved by identifying a registered address of the voter in the Qualified Voter File (QVF) and referring him or her to that precinct (eight (8) were listed in another East Lansing precinct, nine (9) in a precinct outside of East Lansing). In eight (8) other cases, the voter was allowed to vote a regular ballot in the precinct after filling out a change of address or having other corrections logged by the Precinct Chair. Since the Precinct Chair's concern was to identify a legal path to voting, evidence was not always sought that might reveal why the address discrepancy had occurred. However, in several cases evidence did come out indicating possible

administrative error, as distinct from voter error, but affecting disproportionately voters who had moved to a new residence.

In one case the voter stated that he had changed his drivers address "several months ago," but never received notification of a corresponding change in his voter registration. In another case the voter was notified of a change of voter address to Precinct #10 effective 10/16/06, but was not listed in the poll book. One voter had a voter registration card for Precinct #10 from 2004, had moved to Potterville, and was found listed only in Delta Township. Still another had their registered address changed to a new location in 2005, but apparently had not been informed.

Among the types of possible administrative error suggested, if not proven, in these cases are the following:

1. Failure to record a change in the registered voter address after a change in the driver address
2. Failure to record a change in the driver address after a change in the voter address
3. Omission from the precinct poll book of a voter who had been notified of the new voting precinct
4. Failure to notify the voter of a recorded change in the voter's registered address

One other type of error could also arise and might be implicated in cases of discrepancies in voter registration address, but was not suggested by my observations:

5. Failure to notify the driver of a recorded change in the registered driver address

Any of these errors can easily lead to a voter being improperly denied the right to vote. Their effect on voters who move frequently is much greater than on those who do not, since the former are more likely to encounter one of these errors. Errors #1 and #2 are occasioned solely by the requirement in current law that the driver address match the voter address. The current law also contributes to unfounded expectations that discrepancies between a person's registered driver and voter addresses are the fault of the person; when clearly such discrepancies can be induced by administrative errors.

The point of these observations can be put quite simply. The current law creates an opportunity for administrative error that can easily lead to a voter being improperly disenfranchised. In East Lansing Precinct #10, many voters were fortunate to have their case processed by a Precinct Chair who was exceptionally concerned to find for each voter a legal path to voting, if the circumstances allowed such within the law. Many voters in other areas, I have no doubt, were not so fortunate. From my observations, I believe it is quite likely that hundreds, or even thousands of legitimate voters are in fact disenfranchised in every regular Michigan election as a result of the current law's administrative burden.

Testimony of:



Philip T. Shepard